

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

GREGORY STEWART WISNER

PLAINTIFF

v.

CIVIL ACTION NO. 5:13-cv-0087-KS-MTP

CAROLYN W. COLVIN

Acting Commissioner of Social Security Adminstration

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause is before the Court upon the Report and Recommendation [15] (“Report”) of United States Magistrate Judge Michael T. Parker, entered herein on July 18, 2014. Plaintiff Gregory Stewart Wisner (“Wisner”) brought an action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a final decision of the Acting Commissioner of Social Security Administration denying his claim for social security disability benefits. The Magistrate considered the Complaint [1], Brief of Plaintiff [10], and Defendant’s Motion for an Order Affirming the Decision of the Commissioner [13] (“Motion to Affirm”), and issued his Report recommending that the Acting Commissioner’s decision be affirmed. Neither party has filed any objections to the Magistrate’s Report [15] with the Court.

Because there have been no objections, the Magistrate’s Report [15] is subject to review under a clearly erroneous standard. *Williams v. K & B Equipment Co., Inc.*, 724 F.2d 508, 510 (5th Cir. 1984). As such, the Report [15] will be approved unless the Court is “left with a definite and firm conviction that a mistake has been committed.” *Id.* (quoting *United States v. U.S. Gypsum Co.*, 333 U.S. 364, 395, 68 S.Ct. 525, 92 L.Ed. 746 (1948)). The Court, having considered the Report [15] along with the record, the pleadings, the Brief of Plaintiff [10], the

Motion to Affirm [13], and the applicable law, finds no such mistake has been made and will therefore approve the Report [15] filed by the Magistrate and adopt its findings as the opinion of the Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation [15] filed by United States Magistrate Judge Michael T. Parker is accepted, approved, and adopted as the opinion of the Court.

IT IS FURTHER ORDERED AND ADJUDGED that Defendant's Motion for an Order Affirming the Decision of the Commission [13] is granted and that the Complaint [1] filed by Wisner is dismissed and the denial of benefits is affirmed.

SO ORDERED AND ADJUDGED this the 11th day of August, 2014.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE